

**REMARKS**

Claims 1-3, 5-7, and 10-13 are pending in this application, of which claims 1, 7, and 10-12 are independent. In this Amendment, claims 1, 2, 3, 7, 11, and 12 have been amended, and claim 10 canceled. Care has been exercised to avoid the introduction of new matter.

Specifically, support for the amendments of claims 1, 7, 11, and 12 can be found, for example, in Figs. 11-13 and relevant description of the specification. Claim 2 has been amended to correct a minor error. Support for the amendment of claim 3 can be found, for example, on page 24, line 5 to page 25, line 8 of the specification.

**Claim Objections**

An objection has been made to claim 2 because of informalities. Claim 2 has been amended as suggested by the Examiner. Withdrawal of the objection is, therefore, respectfully solicited.

**Claim 10 has been rejected under 35 U.S.C. §101.**

This rejection has been rendered moot by cancellation of claim 10. Applicants respectfully solicit withdrawal of the rejection of claim 10 under 35 U.S.C. §101.

**Claim 12 has been rejected under 35 U.S.C. §112, first paragraph.**

The Examiner stated, "claim 12 relates to Embodiment 4 pages 32-35 and... cannot find support for the first device sending the scenario data demultiplexed by the demultiplexing unit" (the last paragraph on page 4 of the Office Action).

In response, claim 12 has been amended in particular to revise the limitation regarding the “data sending unit” based on, for example, EMBODIMENT 4 of the specification.

Withdrawal of the rejection of claim 12 under 35 U.S.C. §112, second paragraph is, therefore, respectfully solicited.

**Claim 10 has been rejected under 35 U.S.C. §112, second paragraph.**

This rejection has been rendered moot by cancellation of claim 10. Applicants respectfully solicit withdrawal of the rejection of claim 10 under 35 U.S.C. §112, second paragraph.

**Claims 1-3, 5-7, 10, 11, and 13 have been rejected under 35 U.S.C. §102(e) as being anticipated by Kikinis.**

In the statement of the rejection, the Examiner asserted that Kikinis discloses a display system identically corresponding to what is claimed.

It is well established precedent that the factual determination of lack of novelty under 35 U.S.C. §102 requires the identical disclosure in a single reference of each element of the claimed invention, such that the identically claimed invention is placed into the possession of one having ordinary skill in the art. *See Helifix Ltd. v. Blok-Lok, Ltd.*, 208 F. 3d 1339, 54 USPQ2d 1299 (Fed. Cir. 2000); *Electro Medical Systems S.A. v. Cooper Life Sciences, Inc.*, 34 F.3d 1048, 32 USPQ2d 1017 (Fed. Cir. 1994).

Applicants submit that Kikinis does not disclose a receiving device including all the limitations recited in independent claim 1. Specifically, Kikinis does not disclose, among other things, the following limitations recited in claim 1.

a broadcasting receiving unit operable to receive broadcasting data in which a plurality of content deciding data deciding positions of contents placed on a network is multiplexed with scenario data indicating the order of selecting one content deciding data after another from the plurality of content deciding data, and a broadcasting program associated with said contents;

...  
a data management unit operable to select one content deciding data after another sequentially from the plurality of content deciding data demultiplexed by the demultiplexing unit, in which the sequential selection is performed in the order indicated by the scenario data demultiplexed by the demultiplexing unit; ....

Broadcasting receiving unit

Kikinis does not disclose the claimed broadcasting receiving unit broadcasting at least “scenario data.” The Examiner identified frames (data region) 63 and 67 in Fig. 2 of Kikinis as the claimed scenario data, and asserted that “the data frames teach which URLs are associated with which frames and the location information in the frame of the URLs” (see the paragraph bridging pages 5 and 6 of the Office Action), by citing the following portion (column 7, lines 10-27) (emphasis added).

In alternative embodiments of the invention different entities in the a frame may be associated with different URLs, and may serve to direct the user to different home pages on the WEB, or to different data locations on the same home page. The car itself may be highlighted and associated with a URL as well as the emblem, and the car URL could lead to information on the latest model, in this example, perhaps <http://www.bmw.com/latestmodel>.

FIG. 2B is an illustration of a data stream 59 wherein data for a first frame 61 and a second, following frame 65 is separated by a data region 63 containing the data identifying the position and extent of BMW emblem 57 in frame 61. A next data region 67 follows frame 59 and identifies the position and extent of the BMW emblem in that frame as well, and carries the URL associated with the emblem as well. In this manner each frame has an associated data region with the image position and extent data, and the associated URL.

Applicants understand that the first paragraph above describes that two or more images are included in a frame, each of the images are linked to a different URL. In addition,

Applicants understand that the second paragraph describes that data regions 63 and 67 includes

data identifying the position and extent of an image in frames 61 and 65, and a URL associated with the image. However, there is no description in Kikinis describing data indicating the order of selecting one content deciding data after another from the plurality of content deciding data. Kikinis does not disclose any order of selecting URLs linking to images in a frame. It may be considered that there is data linking a URL and an image in Kikinis, but the reference is silent on data indicating the order of selection of URLs (it is assumed that the claimed content deciding data is a URL for the sake of this response).

The Examiner, citing column 9, lines 24-36 of Kikinis, further identified a “tag” as the claimed scenario data and asserted, “When the Url information is downloaded ahead of time the tag determines the sequential order the information is retrieved from the cache to be displayed on the screen” (the last paragraph on page 2 of the Office Action) (emphasis added). The following is reproduction of column 9, lines 24-36 of Kikinis (emphasis added):

FIG. 3A is a flow diagram depicting a procedure followed by an apparatus in conjunction with a data stream containing a dynamic URL in conjunction with an embodiment of the present invention.

At step 83 a data stream is received bearing entity data and one or more dynamic URLs in a data region separate from image frame data. The one or more URLs are linked to the image entities by a tag. The URLs can be sent before (ahead of) the images and stored in a cache. Thus, when many images are displayed at the same time, more bandwidth can be allocated to the entities, as opposed to the URL data.

The above paragraph simply describes that a tag is used to link a URL to an image entity. However, Kikinis does not describe that a tag determines the order of selecting one URL after another from a plurality of URLs (it is assumed that the claimed content deciding data is a URL for the sake of this response).

Accordingly, Kikinis does not disclose the claimed broadcasting receiving unit broadcasting at least “scenario data.”

Data management unit

Kikinis does not disclose the claimed data management unit. Independent claim 1 recites “a data management unit operable to select one content deciding data after another sequentially from the plurality of content deciding data demultiplexed by the demultiplexing unit in which the sequential selection is performed in the order indicated by the scenario data demultiplexed by the demultiplexing unit.”

The Examiner asserted as follows (the second full paragraph on page 6 of the Office Action):

Column 7 lines 10-27 teach each frame having associated data region/scenario data with the image position and the associated URL, the order in which the enhanced data is displayed and/or accessed is related to the frames which enables the enhanced data to be selected; Also Column 9 lines 24-53 teaches transmitting URL information ahead of time and having a tag or scenario data linking the URLs to the frames....

Column 7, lines 10-27 and column 9, lines 24-36 of Kikinis are reproduced above. Column 9, lines 37-53, additionally cited by the Examiner, is reproduced below (emphasis added):

At step 85 interframe data is stripped and provided to computer elements in the receiving platform (see FIG. 1) to a CPU executing dynamic URL control routines according to an embodiment of the present invention at step 87. A normal TV picture is presented from the frame data at step 89 by the conventional TV elements of the receiving interactive system.

At step 91 data from the inter-frame regions is processed to enhance the identified entity, and the enhancement is accomplished at step 93. At step 95 a viewer provides pointer input to activate and manipulate a cursor on the TV screen. The input is processed at step 97, and at step 99 the viewer moves the cursor to the area of the enhanced entity image. At step 101 the viewer activates a selection input, which is processed at step 103, and at step 105 the enhanced entity is selected. This selection initiates WEB access by computer elements in the receiving and display system.

At step 107 a Network Interface Module (NIM) is initialized and dial-up is accomplished, providing Internet access for the receiving system....

As discussed above, the Examiner's cited portions as well as the rest of Kikinis do not describe at least the claimed scenario data. As mentioned above, the Examiner asserted, "the order in which the enhanced data is displayed and/or accessed is related to the frames which enables the enhanced data to be selected." There is no order described in Kikinis. The Examiner further asserted, "Column 9 lines 24-53 teaches transmitting URL information ahead of time and having a tag or scenario data linking the URLs to the frames." However, such a tag is irrelevant to the claimed scenario data. As already discussed, the tag of Kikinis does not determine the order of selecting one URL after another from a plurality of URLs. The tag is simply used to link a URL to an image entity. Accordingly, Kikinis does not disclose "a data management unit operable to select one content deciding data after another sequentially from the plurality of content deciding data... in which the sequential selection is performed in the order indicated by the scenario data...."

Based on the foregoing, Applicants submit that Kikinis does not disclose a receiving device including all the limitations recited in independent claim 1 within the meaning of 35 U.S.C. §102. The above discussion is applicable to independent claims 7 and 11, reciting at least scenario data. Dependent claims 2, 3, 5, 6, and 13 are also patentably distinguishable over Kikinis at least because these claims include all the limitations recited in independent claim 1. Applicants, therefore, respectfully solicit withdrawal of the rejection of claims under 35 U.S.C. §102(e) and favorable consideration thereof.

**Claim 12 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Kikinis in view of Allport.**

Claim 12 recites the following limitations:

a broadcasting receiving unit operable to receive broadcasting data in which a plurality of content deciding data deciding positions of contents placed on the network is multiplexed with scenario data indicating the order of selecting one content deciding data after another from the plurality of content deciding data, and a broadcasting program associated with said contents;

...  
selecting one content deciding data after another sequentially from the plurality of content deciding data demultiplexed in the demultiplexing step, in which the sequential selection is performed in the order indicated by the scenario data demultiplexed in the demultiplexing step; ....

Applicants incorporate herein the arguments previously advanced in responding to the imposed rejection of independent claim 1 under 35 U.S.C. § 102 for anticipation evidenced by Kikinis. The Examiner's additional comments and secondary reference to Allport do not cure the previously argued deficiencies in Kikinis.

Applicants, therefore, respectfully solicit withdrawal of the rejection of claim 12 under 35 U.S.C. § 103 and favorable consideration thereof.

### **Conclusion**

It should, therefore, be apparent that the imposed rejections have been overcome and that all pending claims are in condition for immediate allowance. Favorable consideration is, therefore, respectfully solicited.

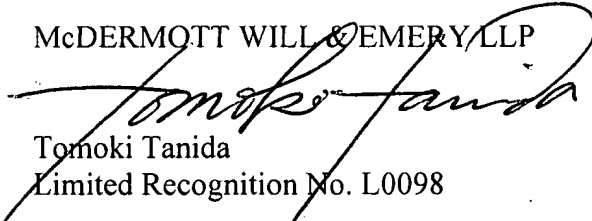
To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

**Application No.: 09/939,789**

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Tomoki Tanida  
Limited Recognition No. L0098

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 SAB:TT  
Facsimile: 202.756.8087  
**Date: March 15, 2007**

**Please recognize our Customer No. 20277  
as our correspondence address.**

WDC99 1346903-2.050023.0148